

1. The Recommendation of the Magistrate Judge (Doc. # 19) is ADOPTED;
2. Defendants' motions to dismiss (Docs. # 15 & 17) are GRANTED to the extent Defendants seek dismissal of this action due to Plaintiff's failure to properly exhaust an administrative remedy available to him during his confinement at the Elmore County Jail prior to initiating this cause of action;

3. This action is DISMISSED with prejudice in accordance with the provisions of 42 U.S.C. § 1997e(a) for Plaintiff's failure to properly exhaust an administrative remedy previously available to him at the Elmore County jail;

4. No costs are taxed herein.

A final judgment will be entered separately.

DONE this 28th day of November, 2017.

/s/ W. Keith Watkins  
CHIEF UNITED STATES DISTRICT JUDGE